

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

VS.

JOSHUA MARTINEZ,

Defendant,

2:18-mj-707-GWF

MINUTES OF THE COURT

Dated: OCTOBER 16, 2018

PRESENT:

THE HONORABLE GEORGE FOLEY, JR., U.S. MAGISTRATE JUDGE

DEPUTY CLERK: E. GARCIA LIBERTY: 9:47 a.m. – 11:02 a.m./11:13 a.m. – 11:47 a.m.

PRESENT FOR PLAINTIFF: Kilby McFadden, Chad McHenry and Michael Desch, U.S. Deputy Marshal

PRESENT FOR DEFENDANT: Craig Mueller and Joshua Martinez

MINUTES OF PROCEEDING: BENCH TRIAL (DAY ONE)

The Court convened at 9:47 a.m.

The Court inquires of defense counsel why he did not notify the Court of being late to this hearing.

United States of America v. Joshua Martinez

2:18-mj-707-GWF – Bench Trial

October 16, 2018

Page Two

Defense counsel advises the Court why he was late.

The Court will take the matter under submission regarding sanctions.

The Court makes preliminary remarks and hears representations of counsel as to [15] Motion in Limine. Exclusionary Rule Invoked.

Opening statements are made by government's counsel and defense counsel.

Andre Carter is called to the stand, sworn and testified on direct examination by government's counsel. **Plaintiffs' exhibit #1, 2 and 3 are marked and admitted into evidence.**

Andre Carter cross examination by defense counsel. The witness is excused.

Leon Austin is called to the stand, sworn and testified on direct examination by government's counsel. **Plaintiffs' exhibit #1, 2 and 3 are marked and admitted into evidence.**

Leon Austin cross examination by defense counsel. The witness is excused.

Thadd Euskalinowski is called to the stand, sworn and testified on direct examination by government's counsel. **Plaintiffs' exhibit # 2 and 3 are marked and admitted into evidence.**

Thadd Euskalinowski cross examination by defense counsel. The witness is excused.

Court recesses at 11:02 a.m. Court reconvened at 11:13 a.m.

United States of America v. Joshua Martinez

2:18-mj-707-GWF – Bench Trial

October 16, 2018

Page Three

Joshua Martinez is called to the stand, sworn and testified on direct examination by defense counsel.

Joshua Martinez cross examination by government's counsel. **Plaintiffs' exhibit # 4** is marked and admitted into evidence.

Closing arguments are presented by government's counsel.

Closing arguments are presented by defendant's counsel.

The defendant is found guilty as stated on the record.

The Court proceeds to sentencing and hears representation from government's counsel and defense counsel.

The Court adjourned at 11:47 a.m.

**DEBRA KEMPI, CLERK
UNITED STATES DISTRICT COURT**

By: _____/s/
E. Garcia, Deputy Clerk